

Spangenberg
R-II

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-221526.2

DATE: February 18, 1986

MATTER OF: T.V. Travel, Inc., et al.--Reconsideration

DIGEST:

GAO affirms previous decision sustaining protest on basis that the awardee's proposal was not properly evaluated, since it received a maximum score, even though it proposed less than the optimum staffing preference indicated in the solicitation evaluation criteria and in the rating plan used by the agency in scoring proposals.

The General Services Administration (GSA) requests reconsideration of one aspect of our decision in T.V. Travel, Inc., et al.--Reconsideration, B-218198.6, et al, Dec. 10, 1985, 65 Comp. Gen. _____, 85-2 C.P.D. ¶ 640. We affirm our previous decision sustaining the protest.

In the previous decision, we considered protests against various GSA awards for the arrangement of travel services for official government travel.^{1/} We sustained protests by T.V. Travel, Inc., and World Travel Advisors, Inc., against GSA's selection of a Scheduled Airline Ticket Office (SATO) to be the travel management center for civilian agencies in the Atlanta, Georgia area. The protests were sustained because the record indicated that the SATO proposal was not properly evaluated in three areas, those being: (1) the number of travel agents proposed; (2) Diners Club Account reconciliation; and (3) electronic transmission of summary reports. We recommended that GSA reevaluate the proposals in the competitive range in these areas and determine which offeror is the highest ranked. If the SATO is not the highest ranked, then its contract should

^{1/} This decision overruled our decision in T.V. Travel, Inc., et al., B-218198, et al., June 25, 1985, 85-1 C.P.D. ¶ 720, which dismissed the protests because we believed the selections were not subject to our bid protest jurisdiction. GSA and the protesters requested reconsideration of this initial decision since they believed we had jurisdiction over these selections. Upon reconsideration, we agreed and reinstated the protests.

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be terminated for the convenience of the government and award made to the highest rated offeror.

GSA only requests reconsideration of the portion of our decision as it concerns the evaluation of the number of travel agents proposed by the SATO. GSA claims our decision is erroneous in this regard for two reasons. First, GSA disagrees with our conclusion that the evaluation criteria set forth in the solicitation indicate that offerors which proposed one travel counselor per \$500,000 in anticipated travel will be rated higher than those who propose fewer travel counselors. GSA argues that any offeror, such as the SATO, which proposes a travel counselor for every \$500,000 to \$750,000 in anticipated travel was fully acceptable and should receive full credit in this area. Second, GSA claims that our finding that SATO proposed only 14 travel counselors is erroneous. GSA claims SATO proposed 15 travel counselors since SATO's onsite travel manager should also be counted.

GSA claims the evaluation criteria indicated that full credit would be given any travel agency offeror which proposed one travel counselor or reservation agent per \$500,000 to \$750,000 in annual air sales. GSA states that the solicitation indicates that "an average reservation agent can book between \$500,000 to \$750,000 in annual air sales." However, the subcriteria referenced by GSA that is contained in the project management evaluation criteria actually state:

"The Offeror's organization and staffing plan will be assessed to ensure that the Project Manager has adequate authority to direct the Government project, sufficient resources are committed to the project, and the firm is organized for efficient delivery of services. The Government will take into consideration that the industry standard for staffing assumes an average reservation agent can book \$500,000 in annual air sales and that few can book above \$750,000 annually. . . ." (Emphasis supplied.)

In its reconsideration request, GSA does not mention the rating plan which it said it utilized in scoring the proposals, even though our previous decision relies in part on this plan. /The pertinent paragraph of the rating plan states that offerors would receive a maximum three points for this subcriteria of the project management criteria if "the offeror proposed to staff to meet the industry average of \$500,000 annual sales per commercial agent." (Emphasis supplied.) The rating plan implementation is consistent with an objective interpretation of the above-quoted evaluation subcriteria that indicate that offerors which propose one travel counselor per \$500,000 in anticipated travel will be rated higher for this subcriteria than those proposing fewer travel counselors. These subcriteria reasonably encourage offerors to offer more travel counselors to achieve a better ratio and, thus, maximize their technical score and chance for award.

GSA also states that this matter was rated under the "personnel qualifications" evaluation criteria which state "the number of reservation agents [travel counselors] will be measured against the industry standard noted in [the project management subcriteria quoted above.]" Under the rating plan, the subcriteria of the "personnel qualifications" criteria which address this matter provide for a maximum one point if "a sufficient number of reservation agents [travel counselors] will be assigned to the government so that their average sales fall between \$500,000-\$700,000 per year." However, this does not in any way belie the reasonable implication of the project management evaluation subcriteria that offerors proposing one travel counselor per \$500,000 will be rated higher than those who propose fewer counselors.

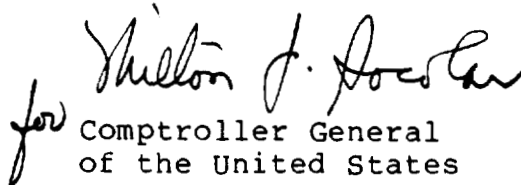
GSA also states that we incorrectly concluded the SATO proposed 14 travel counselors rather than 15 travel counselors because SATO's onsite travel manager should also be counted. GSA references pages 15 and 22 of SATO's proposal as establishing that "in addition to his managerial duties, the onsite travel manager is available and expected to handle federal employee travel needs along with the other travel agents at the site." However, our review of SATO's proposal does not lead to this same conclusion. In regard to the onsite manager, the proposal only notes that he will assist the project manager in administering the operation of

those offices and services. Therefore, we are unconvinced that our previous decision is erroneous in this regard. In any case, GSA concedes that 15 reservation agents would make the reservation agent ratio one for every \$666,000 in anticipated travel rather than the one for \$719,000 ratio for 14 travel counselors. Consequently, this issue does not seem particularly significant to the ultimate proposal evaluation.

GSA also references the "obvious flexibility" of the SATO because of the number of SATO offices in the close proximity to and the member airline carrier offices in the Atlanta area. GSA speculates that the SATO is inherently superior to other offerors for this factor and "the SATO could quite conceivably have been rated much higher."

As indicated in our previous decision, GSA has not been able to find the detailed scoresheets for the proposal. Assuming GSA followed the values set forth in the rating plan as it claimed, it seems clear that the SATO received the maximum three points in the project management subcriteria and one point in the personnel qualifications criteria for its proposed number of travel agents. Therefore, we are unable to ascertain how SATO could have been rated "much higher" than the perfect score it apparently achieved in this area.

Since GSA has not established that our decision was erroneous, we affirm our previous decision.


for Comptroller General
of the United States